



## *TIBRS TRAINING TIPS*

# *CLASSIFYING INCIDENTS INVOLVING DRUG USE DURING PREGNANCY*



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## *CLASSIFYING INCIDENTS INVOLVING DRUG USE DURING PREGNANCY*

### *EXAMPLE #1*

The mother used drugs during her pregnancy. The baby was born with a drug addiction. The mother was not charged with a crime.

***TIBRS: NOT REPORTABLE***





# *TIBRS TRAINING TIPS*

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### *EXAMPLE #2*

The mother used drugs during her pregnancy.

The baby was born with a drug addiction.

The mother was charged with Reckless Endangerment.

### *ALL OTHER OFFENSES*

The difference? All Other Offenses is a Group B offense. An arrest is required to make any Group B offense/incident reportable.





# *TIBRS TRAINING TIPS*

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### *EXAMPLE #3*

The mother used drugs during her pregnancy. The baby was stillborn. The mother was charged with Murder.

***TIBRS: NOT REPORTABLE***

(Please refer to Page 1 of this document, paragraph 3)





# *TIBRS TRAINING TIPS*

## *CLASSIFYING INCIDENTS INVOLVING DRUG USE DURING PREGNANCY*

### *EXAMPLE #4*

The mother used drugs during her pregnancy.

The baby was born, but died a short time later.

The mother was charged with Aggravated Assault (TCA) for using the drugs while pregnant. After the baby died, she was also charged with Murder.



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# *TIBRS TRAINING TIPS*

## *CLASSIFYING INCIDENTS INVOLVING DRUG USE DURING PREGNANCY*

### *EXAMPLE #4, CONTINUED*

## *TIBRS: ONE INCIDENT, ONE OFFENSE: MURDER – NEGLIGENT MANSLAUGHTER*

For TIBRS, regardless of the TCA charges (Assault, Reckless Endangerment, etc.), it is only reportable if the agency has established *intent* by the offender.  
Intent is not criteria for Negligent Manslaughter.







# *TIBRS TRAINING TIPS*

## *CLASSIFYING INCIDENTS INVOLVING DRUG USE DURING PREGNANCY*

### *EXAMPLE #5*

The mother used drugs during her pregnancy.

The baby was born, but was addicted and/or tested positive for the drug. The mother was charged with Aggravated Assault (TCA) for using the drugs while pregnant.

***TIBRS - AGENCY DISCRETION:  
ALL OTHER OFFENSES OR NOT REPORTABLE***





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### *EXAMPLE #5, CONTINUED*

The mother was certainly negligent, but Aggravated Assault is not reportable to TIBRS *unless* the agency can establish intent.

For TIBRS, regardless of the TCA charges (Assault, Reckless Endangerment, etc.), it is only reportable if the agency has established *intent* by the offender.



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# *TIBRS TRAINING TIPS*

## ***CLASSIFYING INCIDENTS INVOLVING DRUG USE DURING PREGNANCY***

### ***EXAMPLE #5, CONTINUED***

However, if the baby *dies after a successful birth – even if it is just minutes or even seconds later*, the incident is reportable to TIBRS as

***MURDER – NEGLIGENT MANSLAUGHTER***

because intent is not criteria  
for that particular offense.





# *TIBRS TRAINING TIPS*

## *CLASSIFYING INCIDENTS INVOLVING DRUG USE DURING PREGNANCY*

### *QUESTIONS?*

If similar incidents occur in your jurisdiction and you are unsure of the TIBRS classification, please fax or email the report narrative to the CJIS Support Center. Our staff will review the incident and respond as quickly as possible.

***CJIS SUPPORT CENTER FAX NUMBER:  
615-744-4662***

